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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Phillip Gambel  
Group : 1644  
Applicants : Michael J. Yellin et al.  
Application No.: 09/342,314 Confirmation No. 6376  
Filed : June 29, 1999  
For : THERAPEUTIC APPLICATIONS FOR THE ANTI-T-BAM  
(CD40-L) MONOCLONAL ANTIBODY 5C8 IN THE  
TREATMENT OF ATHEROSCLEROSIS

EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number EK708050483US

Date of Deposit September 26, 2002

I hereby certify that this transmittal letter and the other papers and fees identified in this transmittal letter as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to the Hon. Commissioner for Patents, P.O. Box 2327, Arlington Virginia 22202.

Box CPA  
Hon. Commissioner for Patents  
Washington, D.C. 20231

*[Signature]*  
Wayne S. Samuel - New Case & Return

REQUEST FOR FILING A RULE 53(d)  
CONTINUING PATENT APPLICATION

Sir:

This is a request for filing a ☒ continuation,  
☐ divisional, application, under 37 C.F.R. § 1.53(d)

10/02/2002 AH0HDAF1 00000060 09342314

01 FC:131 740.00 OP  
02 FC:103 306.00 OP  
03 FC:104 280.00 OP

EK708050483US

(continued prosecution application (CPA)), of pending prior Application No. 09/342,314, filed June 29, 1999, which is a divisional application of Application No. 08/637,323, filed April 26, 1999.

1. ☐ Please enter the Amendment Pursuant to 37 C.F.R. § 1.116 filed \_\_\_\_\_ in Application No. \_\_\_\_\_.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application (37 C.F.R. § 1.53(d)(4)). Delete the following inventor(s) named in the prior application: \_\_\_\_\_.
4. ☒ The filing fee is calculated below:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE				\$ 740.00
TOTAL CLAIMS	37 - 20 =	17	x \$18 =	\$ 306.00
INDEPENDENT CLAIMS	1 - 3 =	0	x \$84 =	\$ .00
<input checked="" type="checkbox"/> A MULTIPLE DEPENDENT CLAIM			+ \$280 =	\$ 280.00
TOTAL				<u>\$ 1326.00</u>

- \* If less than 20, insert 20.  
 \*\* If less than 3, insert 3.

5. ☒ A check in the amount of \$ 1326.00 in payment of the filing fee is enclosed.
6. ☐ Please charge \$ .00 to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this Request is enclosed.

7. ☒ The Director is hereby authorized to charge any additional filing fees required under 37 C.F.R. § 1.16, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.

8. ☒ The power of attorney in prior Application No. 08/637,323 is to:

James F. Haley, Jr., Esq. (Reg. No. 27,794)  
Magde R. Kanter, Esq. (Reg. No. 35,211)  
Jane T. Gunnison, Esq. (Reg. No. 38,479)  
Barbara A. Ruskin, Esq. (Reg. No. 39,350)

☒ The associate power of attorney in prior Application No. 08/637,323 is to:

Margaret A. Pierri, Esq. (Reg. No. 30,709)

8a. ☒ The power appears in the original papers in the prior application.

8b. ☐ Because the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

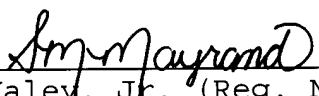
8c. ☐ Because the undersigned's power does not appear in the original papers, a copy of the undersigned's power in the prior application is enclosed.

9. ☒ Address all future communications to:

Margaret A. Pierri, Esq. (Reg. No. 30,709)  
Attorney for Applicants  
c/o FISH & NEAVE  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020-1104  
Tel.: (212) 596-9000  
Fax.: (212) 596-9090

10. ☐ A preliminary amendment is enclosed.

11. ☒ Please grant a ☐ one-month, ☐ two-month, ☐ three-month, ☒ four-month, ☐ five-month, extension of time under 37 C.F.R. §1.136(a) to the time for filing of the Appeal Brief in Application No. 09/342,314, filed June 29, 1999 so that this Request will be filed while that application is still pending.
12. ☒ A check in the amount of \$ 1,440.00 in payment of the extension-of-time fee is enclosed.
13. ☒ The Director is hereby authorized to charge payment of any additional extension-of-time fees required under 37 C.F.R. § 1.136(a) in connection with this paper, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.
14. ☐ Please charge the extension-of-time fee of \$ \_\_\_\_\_ to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.
15. ☐ An Information Disclosure Statement, PTO-Form 1449 and documents cited therein are enclosed.

  
James F. Haley, Jr. (Reg. No. 27,794)  
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